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JAN 25 2006

Page 1 of 6

FAX

Urgent and Confidential

Date: January 25, 2006

TO: USPTO
Examiner
Art Unit
Fax Number
Mail Stop: Appeal Brief - Patents
X. Chung Trans
2833
571-273-8300

FROM: Paul E. Steiner
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SUBJECT: Application Number 10/689,789
Inventor(s) Brent A. Hill, et al.
Date Filed October 20, 2003
Docket Number P17630
Title Multi-Axis Retention Mechanism

INCLUDED IN THIS TRANSMISSION:

Fax Cover Sheet	1 page
Transmittal	1 page
Reply Brief	4 pages

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2 /6

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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/689,789	
	Filing Date	October 20, 2003	
	First Named Inventor	Brent A. Hill, et al.	
	Art Unit	2833	
	Examiner Name	X. Chung Tran	
Total Number of Pages in This Submission	6	Attorney Docket Number	P17630

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Signature	/Paul E. Steiner/		
Printed name	Paul E. Steiner		
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Brent A. Hill, et al.

Serial No.: 10/689,789

Group Art Unit: 2833

Filed: October 20, 2003

Examiner: X. Chung Trans

FOR: MULTI-AXIS RETENTION MECHANISM

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 41.41, Applicant submits this reply brief, in response to the Examiner's Answer mailed November 25, 2005.

All arguments in Applicants' Appeal Brief, filed August 22, 2005, are herein incorporated into this Reply Brief.

In numbered paragraph 2 of the Examiner's Answer, the Examiner incorrectly states that there has been no decision in any related case which may have a bearing on the Board's decision in the present appeal. What the Examiner fails to mention is that in a related case, U.S. Application No. 10/404,975, filed March 31, 2003, the review panel required that the Examiner re-open prosecution of that case because of comparable deficiencies in the Examiner's office actions.

What the Examiner further fails to mention, is that in this related case, the Examiner made a substantially similar rejection based on the Chen reference, which was

P17630

P17630

Serial No.: 10/689,789

subsequently withdrawn in response to applicants arguments, which are substantially similar to those made in the present application.

Following being informed of the panel's decision to re-open prosecution, Applicants notified the Examiner by telephone to remind the Examiner of this pending appeal. Applicants fully expected that at a minimum the prosecution would likewise be re-opened. In any event, applicants are entitled to consistent treatment. The present appeal should not go forward on the basis of a rejection which was correctly withdrawn in the related case. If the appeal does go forward, the Board should accept the Examiner's withdrawal of the rejection over Chen in the related case as an admission that the present claims are patentable over Chen.

In numbered paragraph 10, the Examiner purports to respond to applicants' arguments but does so only selectively and incompletely. The Board should consider that the Examiner has conceded all of applicants' argument which the Examiner fails to address or rebut in any way.

In any event, the factual findings by the Examiner with respect to Chen are clearly erroneous and, accordingly, the issue before the Board is simple. If the Examiner is correct that the connector housing in Chen contacts both sides of the card in Chen, then the rejection should be affirmed. However, if the Examiner is incorrect, then the rejection should be reversed.

In the Examiner's Answer, the Examiner incorrectly states that Figs. 7A-7D of Chen do not show 'the end walls (36) or the restriction wall (48).' In fact, these elements are shown in each view of Figs. 7A - 7D. Element 48 is illustrated in each of Figs. 7A - 7D, and explicitly labeled in Fig. 7D (as shown below). Likewise, end wall 36 is illustrated in each of Figs. 7A-7D, although not explicitly labeled. As annotated below, one of ordinary skill in the art would understand that end wall 36 corresponds to the drawing element annotated below. Likewise, one of ordinary skill in the art would

P17630

Serial No.: 10/689,789

appreciate that neither the wall 48 nor the end wall 36 contact the card 102, and in fact there is substantial clearance between the end wall 36 and the card 102.

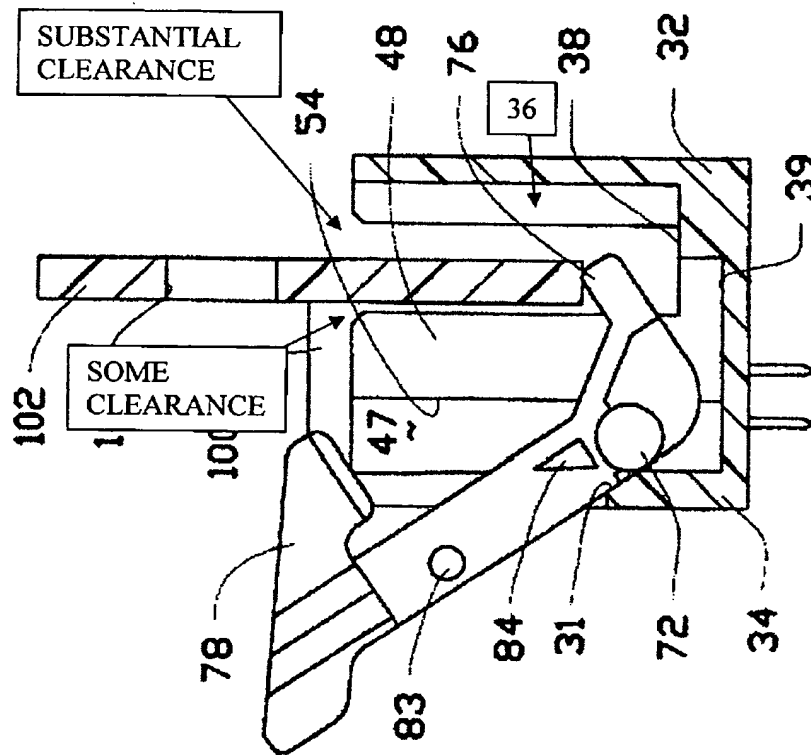


FIG. 7(D)

The Examiner further states that 'Figs. 3, 3A, and 6 are the true representation of the claimed guide ...' Applicants do not understand what the Examiner means by this statement. All of the figures of Chen are considered to be accurate representations of the connector 30 described in Chen. In connection with the presently claimed invention, Figs. 7A-7D are the most relevant figures because they illustrate the detailed construction of the connector 30 and its relationship to the card 102. Taken together with the textual description, it is clear that the Examiner has made clearly erroneous factual findings with respect to the teachings of the reference, and the rejection should be reversed.

P17630

Serial No.: 10/689,789

In view of the foregoing, together with Applicants' Appeal Brief, favorable reconsideration and reversal of the rejection is respectfully requested. Early notification of the same is earnestly solicited. If there are any questions regarding the present application, the Examiner and / or the Board is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

January 25, 2006

Date

/Paul E. Steiner/

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